There Are Many Little Reasons, of Course, but the Biggest of These Is the Simplest—Judge Roan Just Had to Keep Promise to His Charming Wife—And Nobody's Kicking, Either

The trial of Leo M. Frank, which is expected to be the most brilliant legal battle in the history of the state, has been postponed for a month.

There are many little reasons why the trial could not come up on June 30.

And, then, there is one great big reason.

The biggest reason, when analyzed, is also the simplest, as are most big things.

The big reason is the simple fact that Mrs. Judge L. S. Roan wants to go to the seashore early in July.

Of course Mrs. Roan might go to the seashore by herself with any of her many friends, but she wants her husband to make the trip with her, and long before the Phagan case developed Mrs. Roan had secured Judge Roan's promise to take the trip with her.

When the judge called Solicitor Hugh Dorsey, Luther Z. Rosser and Reuben R. Arnold before him Tuesday afternoon and told them that it would be best to agree upon a definite date for the trial of Mr. Frank, they looked a little puzzled for the moment.

Solicitor Dorsey appeared not to want a postponement, and flatly said so. In fact, he argued every time he got a chance, trying to get an early date, and finally asked the court if he wouldn't set the case for the week of July 7.

EVERYBODY WAS PLEASED.

Then the court explained, and after he had explained a quick smile of complete understanding passed over the court room. Mr. Rosser smiled first, then Mr. Arnold, and finally Solicitor Dorsey.

Said the court with the usual dignity:

"Well, gentlemen, another reason is that some months ago I promised my wife that I would take her to the seashore on the week of July 4 and spend some days there with her.

"Of course, if there is any good reason why this trial should be taken up early in the month, if it will be impossible for you to reach it later, I can send Mrs. Roan with friends and remain here."

The judge's statement was made in the nature of a question, but it brought forth no answer.

Those fortunate enough to know the charming lady who is the wife of the judge of the Stone Mountain circuit had no idea even of intimating that from the jurist should be taken the pleasure of accompanying her on a short vacation, and the

subsequent remarks of the court and attorneys dealt solely with the best date for the trial—after the trip to the sea.

THE MINOR REASONS.

Of course there are some other reasons why the case was postponed. In the first place if the conference had not been called, it was still very probable that on next Monday when the court opened attorneys in the case might have offered a legal excuse and forced the postponement. The result would have been the state would have been put to the useless expense of summoning 150 veniremen, who could be of no service.

Again, had the court proceeded with the trial next Monday it would have been held in the regular criminal court room, a low ceilinged, poorly ventilated, hot and stuffy place where the intense heat of this season of the year would make it dangerous for judge, jury, lawyers and spectators.

Had the trial started on June 30 as scheduled, the Fourth of July would have intervened, and twelve good jurors would have been locked up in a hot stuffy hotel room an unnecessary twenty-four hours.

By agreement among counsel the chances of having one side make a good excuse and put the

state to a big expense are minimized if not quite eliminated. By starting the trial after July 12 the criminal court can have use of any of the court rooms in the old city hall building which are larger and much more pleasant than the regular criminal court. The Fourth will not interfere and the interest of the state generally will be served.

Still further, by trying routine cases during the first part of the coming week, many cases can be disposed of, and probably more than one innocent fellow who has been sweltering in the jail can secure his liberty through a jury trial.

And then, Judge Roan has been kept within his circuit by his arduous duties continually for the past twelve months and by all of the laws of right and reason, so counsellors agree, he should fulfill his promise to his charming wife, and at the same time save the state money; the lawyers' health, and give liberty to some of the poor unfortunates who have been lying for weeks in a hot jail without attracting any attention.